



THE STATUS REPORT ON IMPLEMENTATION OF THE RECOMMENDATIONS OF THE ACCESS TO JUSTICE TRENDS ANALYSIS REPORT (2017)



October 2018

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LIST OF ACROYNMS

ACTV	African Center for Treatment and Rehabilitation of Torture Victims
ADR	Alternative Dispute Mechanism
AFCOD-U	African Foundation for Community Development Uganda
AHURIO	Association of Human Rights Organisation
CEDAW	Covenant on the Elimination of all Forms of Discrimination
CEDO	Child Rights Empowerment and Development Organisation
COLAID	Community Legal Action and Integrated Development
CRC	Convention on the Rights of the Child
CRPWD	Convention on the Rights of Persons with Disabilities
DGF	Democratic Governance Facility
FAPAD	Facilitation for Peace and Development
HURIFO	Human Rights Focus
ICCPR	International Covenant on Civil and Political rights
ICESCR	International Covenant on Economic Social and Cultural Rights
JCU	Justice Centres Uganda
JLOS	Justice, Law and Order Sector
JURIA	Justice and Rights Associates
KCOBPA	Kamuli Community Based Paralegal Association
LAP-ULS	Legal Aid Project of the Uganda Law Society
LASPNET	Legal Aid Service Providers Network
LASPs	Legal Aid Service Providers
MCJL	Muslim Centre for Justice and Law
ODPP	Office of the Director of Public Prosecutions
PLA	Platform for Labour Action
PWD	Persons with Disabilities
RLP	Refugee Law Project
SDG	Sustainable Development Goal
SODANN	Soroti Development Association and NGOs Network
UDHR	Universal Declaration of Human Rights
UNDP	United Nations Development Programme
WCC	War Child Canada
WVU	World Voices Uganda

CEPIL	Centre for Public Interest Law
ACCU	Anti-Corruption Coalition Uganda
FHRI	Foundation for Human Rights Initiative
NLAP	National Legal Aid Policy

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Disclaimer: All errors or omissions in this report are own and are not intended.

LASPNET's profile

The Legal Aid Service Providers Network (LASPNET) is a national member-based non-governmental organization established in 2004 to provide strategic linkages and a collaborative platform for legal aid service providers (LASPs) in Uganda. The network maintains a common front to interface with the Justice Law and Order Sector on issues of access to justice and the rule of law. It targets three critical aspects of coordination: bringing together different LASPs for solidarity in strategizing, sharing lessons and experiences, while minimizing duplication; capacitating them through collaborative research and analysis; as well as documenting, providing feedback, and amplifying their voice on key issues regarding access to justice/legal aid at regional, national or international level.

Membership

LASPNET currently has a membership of 52 Legal Aid Service Providers (LASPs), with 3 honorary members operating in over 70 districts of Uganda. Membership is granted after meeting the eligibility criteria and approval by the Annual General Meeting.

Vision

A Free and Just Society.

Mission

To provide a platform for effective networking and collaboration to enhance legal aid service delivery and access to justice for the most vulnerable and marginalized people.

Mandate

To strengthen coordination and networking of LASPs, harmonization and standardization of legal aid service provision by the different service providers, lobbying and advocacy to facilitate a favourable legal and policy environment.

Strategic Objectives

1. To strengthen advocacy for supportive enacting and implementation of legal aid harmonized legal and policy framework.
2. To promote research and knowledge management to support evidence-based programming and advocacy for legal aid and access to justice.
3. To enhance networking and coordination of LASPs through promoting professional standards, collective voice and advancing the legal aid and access to justice agendas.
4. To strengthen institutional development of LASPNET through effective and efficient, functional organizational systems that provide sustainability efforts

EXECUTIVE SUMMARY

In a bid to enhance LASPNET's mandate of ensuring access to justice for the indigent, a trends analysis report on access to justice was developed in 2017. As a follow up to track the status of the recommendations of the access to justice trends analysis report, a status report on the emerging access to justice and rule of law issues and recommendations has been prepared for the period ending October 2017 to October 2018.

The findings indicate improvement in the performance of ODPP to fight corruption, mainstreaming innovation such as the small claims procedures, plea bargaining and mediation. However, gains made are being challenged by financial and human resource constraints, deterioration on rights protection and rule of law observance which has a direct impact on access to justice. This has been evidenced with increasing cases of torture by security operatives, shrinking space, failure to observe suspects constitutional rights and continued detention beyond mandatory period, delay to dispose of cases, corruption amongst others.

The report further proposes recommendations and some of these include: increasing operational funds to support protection of witness and funding witnesses to hear cases as soon as they are committed and consider dealing away with the next convenient high court session model; the need to institutionalize child friendly procedures across all courts and deliberate efforts needed to fast track cases and strengthen monitoring and accountability to fight corruption, as well as increasing resources to support case management.

Background

Access to justice has various definitions depending on different contexts. The UNDP (2014) defines access to justice as a process that involves much more than improving an individual's access to courts, or guaranteeing legal representation. It stresses the fact that access to justice must ensure that legal and judicial outcomes are just and equitable. The 2017 LASPNET Annual Trends Analysis report on access to justice, similarly conceptualizes access to justice as enabling people to claim and obtain justice remedies through formal or informal institutions of justice, and in conformity with human rights standards.

LASPNET has played a critical role in complementing JLOS' mandate to improve access to justice for all on several fronts through research coordination and capacitating legal aid service providers. For instance, it has continued to contribute to the development of the JLOS Annual Performance reports through sharing information on access to justice issues, rule of law and human rights; supported the implementation of the 2012 JLOS Anti-Corruption Strategy which seeks to fight corruption as an obstacle of access to justice; supported innovations in enhancing access to justice among others.

Guided by objective 2 of the strategic plan of research and knowledge management to improve documentation and dissemination of legal aid information. In 2017, LASPNET initiated efforts of tracking access to justice issues on an annual basis to inform policy or strategic interventions. The process began with the development of access to justice indicators in February 2017. These include;

- The existence of a legal framework which provides the normative principles on the right to redress;
- Knowledge of the existence of the right to enable the holder to speak to the right;
- Access to technical services of a lawyer to assist the holder of the rights to ably claim the rights before an adjudication platform;
- The presence of clear and effective mechanisms to adjudicate and handle complaints of claims and;
- The existence of mechanisms to enforce the outcomes of adjudication platforms.

It is therefore premised on the above indicators that LASPNET developed the 2017 Access to Justice Trends Analysis Report. The report was launched and disseminated to stakeholders in the justice system at the 3rd Annual access to justice conference held on 19th October 2017. The report revealed among others that the justice system is plagued by corruption, case backlog, limited judicial officers, lack of legal representation and lack of respect for the rule of law. It further noted that Land matters formed the highest justice issues at 44%, criminal matters at 24% and Domestic violence at 17% whereas 69% of justice seekers were satisfied with Alternative Dispute Resolution because it's associated with less costs of litigation. More importantly, LASPNET has continued to track access to justice findings on the key recommendations made in the A2J trends in the reporting period. This report series

seeks to provide an overview of LASPNET perspectives on how the Sector has progressed in ensuring improved access in line with SDG 16, SDPIV, non-state actors reports such as the LASPNET report of 2017 among others. The updates are tagged to tracking period between October 2017 to October 2018.

1.0 INTRODUCTION

Over the last 14 years, LASPNET has worked to coordinate LASPs to interface effectively with state, non-state and development partners. LASPNET uses a five-pronged approach to its interventions which include; lobby and advocacy, research and knowledge management, networking and coordination, lobbying and advocacy, strengthening institutional development.

One of LASPNET's core mandate is to enhance access to justice for the poor and vulnerable through undertaking research and knowledge management. LASPNET has conducted evidence-based researches such as the 2004 and 2009 baseline surveys on legal aid service; a report released in December 2015 on Poverty, Marginalization and Vulnerability in the context of Access to Justice; has undertaken a cost benefit analysis on legal aid to weigh the benefits of legal service to all Ugandans. Other researches include; documentation of Good Practices of Child Friendly Justice (2015), Child Friendly Legal Aid Manual (2016), Monitoring and Evaluation Training of Trainers Manual (2017); Community Based Paralegal Training of Trainers Manual (ongoing) Tool kit and posters on broad themes on access to justice (ongoing); whistleblower s manual (ongoing). Through research and documentation issues hindering access to justice and promotion of rule of law such corruption an institutional barriers to justice are brought to the fore for JLOS consideration. Such information is disseminated at forums like working group and committees of JLOS to which LASPNET is represented. In addition, LASPNET convenes National level activities such as the Annual Access to Justice Conference. Resolutions and information from the Conferences is utilised to contribute to institutional process reforms related to access to justice at National and sub-national level.

In 2017 LASPNET produced a ground-breaking research on access to Justice which was called State of Access to Justice Report (2017). The research documented indicators for access to justice, measured status and made recommendation for improvement. It is against this background that this year, LASPNET has produced yet another research series to mainly update on progress of some of the sector institution in tracking SDG 16 as well as recommendations made in the LASPNET Trends analysis report of 2017.

1.1. Methodology

The status report was developed using the qualitative approach through reviewing secondary literature which included A2 J Report 2017, JLOS Annual performance report (2017&2018) as well as the media. In addition, key informant interviews using semi-structured questionnaires, and focus group discussions with 29 regional-based LASPs at branch offices. The research team also used observations as they interfaced with Justice system actors.

1.2. Limitations

The development of the status report was conducted between period of October 2017

to October 2018 by secretariat team which is also involved in other programme activities, hence the review of status update may not provide a full picture of what has improved or not within the JLOS sectors. In addition, consultation was limited to members of LASPs and clients. Duty bearers were also consulted to give their opinions on the findings. The panel discussion and plenary are intended to enable all actors to provide their feedback and review ongoing status updates that will inform the next report series.

1.3. Report structure

This status report speaks to the general State of Access Justice in Uganda; key recommendation of 2017, report on emerging issues of access to Justice, updates from JLOS institution and regional levels, challenges and recommendations.

2.0. ACCESS TO JUSTICE THE LENSES OF LEGAL AND POLICY FRAMEWORK

The state of justice in Uganda: Access to justice refers to a process which enables people to claim and obtain justice remedies through formal or informal institutions of justice, and in conformity with human rights standards.¹

Access to Justice at international level

Access to Justice is a human right guaranteed under the international and regional human rights regime. The Universal Declaration of Human Rights recognizes the equality of all before the law and equal protection of the law.² Further, the Declaration guarantees the right for all persons to seek an effective remedy from the competent national tribunals for any violation of fundamental rights guaranteed under the law.³ The above provisions form the bedrock of access to justice at the universal level. The rationale of the UDHR was captured in Sustainable Development Goal 16 The full objective of this goal is to 'promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all level. Target 16.3 states that countries should "[p]romote the rule of law at the national and international levels and ensure equal access to justice for all."

The International Covenant on Civil and Political rights (ICCPR) grants a spectrum of rights and obliges the State to put in place enabling legislation for the realization of rights if not alright in existence.⁴ Others legal framework at international level that provides for access to justice include: the International Covenant on Economic Social and Cultural Rights (ICESCR) guarantees the social and economic rights while the Covenant on the Elimination of all Forms of Discrimination (CEDAW); safeguard the rights of women in the domestic, social work and political spheres. The latter two Covenants set the pace in as far as providing for the normative principles is concerned but do not cover judicial remedies. ⁵On the other hand, the Convention on the Rights of Persons with Disabilities (CRPWD) and Convention on the Rights of the Child (CRC) have been more progressive in protecting the right to access justice for Persons with Disabilities (PWDs) and children respectively. United Nations Standard Minimum Rules for Administration of Juvenile Justice (the Beijing Rules) 1995 that provide minimum standards on juvenile justice particularly under detention.

At the regional level access to justice is captured in the in some of the regional legal and policy framework. Some of these include: the African charter on the rights and welfare of

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¹ United Nations Development Programme, Programming for Justice: Access for All: A Practitioner's Guide to Human Rights-Based Approach to Access to Justice (Bangkok: UNDP, 2005). Hereafter: UNDP, Programming for Justice, 2005.

² Article 1 and 7, Universal Declaration of Human Rights, 1948

³ Article 28 UDHR

⁴ International Covenant on Civil and Political Rights, Article 2 (2).

⁵ State of Access to Justice Report: 2017 Annual Trends Analysis

the child; African youth charter; the protocol on the rights of women in Africa (Maputo Protocol); the Lilongwe Declaration on accessing legal aid in the criminal justice system; principles and guidelines on the right to a fair trial and legal assistance in Africa, 2003 (Dakar Declaration); Kyiv Declaration on the Right to Legal Aid Conference on the Protection and Promotion of Human Rights through Provision of Legal Services 2007.

In Uganda the legal framework that provides for access to justice include the Constitution of the Republic of Uganda particularly Article 21 (1) and Article 28.⁶ Access to justice is also captured in the sector plans particularly Fourth Strategic Development Plan (SDP IV) (2017-2021). The sector has planned for this to be realized through improved safety of the person, security of property, and access to justice for inclusive growth. The plan sets out three key objectives to be attained during the four-year period. These are:

- I) *Enhancing JLOS infrastructure and access to JLOS services;*
- II) *Promoting the observance of human rights and fighting corruption; and*
- III) *Strengthening commercial justice and the environment for competitiveness.*

The JLOS in particular will, over the SDP IV period, focus on Sustainable Development Goal 16 which seeks to promote peaceful inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.

Therefore, the status report 2018 makes findings and recommendations in line with the above policy and legal framework in addition to the ongoing practices in the service delivery mechanisms.

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⁶ Article 21(1) of the 1995 Constitution “guarantees equality of all persons before the law and protection irrespective of political, economic, social and cultural life. Article 28 is to the effect that in determination of civil rights....”

3.0. A SUMMARY OF FINDINGS THE 2017/18 STATUS REPORT ON ACCESS TO JUSTICE

The government of Uganda through the Justice Law and Order Sector is making some effort to address the lack of access to justice for the poor, vulnerable and marginalized. This has been done through coming up with innovations in addition to existing mechanisms to address bottlenecks such as corruption. Notable among many are programmes such as statutory mediation, plea bargaining, State brief schemes for persons charged with capital offences, the Pro bono scheme regulated by Uganda Law Council and run by Uganda Law Society, student's legal aid provision scheme by Law Development Clinic, and the establishment of the Justice Centres Uganda.

The efforts notwithstanding access to justice remains limited for various reasons. Suffice to note that the above findings are not different from the previous findings of the 2017. For instance, most of the JLOS services remain in the urban based with limited local presences save for police and now the newly established Local defense units. Only 18.2% of the people in rural areas are able to access a Magistrate Court within a distance of less than 5km compared to an overwhelming 56% in urban areas.⁷ There are challenges of raising resources for transportation to the relevant institutions. Furthermore, is the often highly charged and adversarial system of justice combined with a strong focus on procedures and rules can be distressing and disempowering, especially for poor people. This creates a physical barrier to timely access to justice that may result in victims or users to relinquish their rights.

Other barriers include requirements to pay various user fees for legal processes, technical, language, attitudinal, corruption which all compound the difficulty for the ordinary person to access justice in Uganda difference between policy and implementation. In addition, there is limitation in regard to resources both human and physical, the Judiciary operates at low level output because the judges remain at 51 despite the approved 82, the chief magistrates remain at 49. Although there has been an increase to chief magisterial areas to 82; about 2600 lawyers in the country, 80% of who are urban serving a population of 40 million Ugandans. The resultant impacts of the above challenges are increasing levels of case backlog, violation of rights, delay and congestion in prisons. The lack of legal representation for the poor and vulnerable remain key with only 20% Ugandans being in position to engage a private lawyer. The lack of legal aid law and administration of the justice Bills despite the progress under way shall negatively rate Uganda's compliance to the international standards and commitments to delivery of access to Justice.

The findings in the 2017 Trends Analysis report on A2J indicated that the justice system was plagued by corruption, case backlog, lack of judicial officers, lack of legal representation and lack of respect for the rule of law. The report therefore made various recommendations to address some of these challenges to include: increasing the spread and number of community-based paralegals; increasing the use of ADR at all levels of the justice chain;

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⁷ LASPNET 2015'Poverty Marginalisation and Vulnerability

passing of the national legal aid policy and law as documented in various media report, institution reports and forums. The report in addition provided institutional recommendations and action points for the different JLOS institutions to address some of these challenges that are hampering access to justice. Here we shall only make mention of the key findings and recommendations that stood out.

General findings from the 2017 report

- 87% of respondents were of the view that the current law guarantees human rights to the citizens whereas 96% of the respondents are knowledgeable on where to find justice services or where to seek remedies.
- The survey reveals that 62% of the respondents were ignorant about the procedures required to seek a remedy.
- 96% of the respondents reached stated they had encountered a problem while using justice
- Institutions.
- Most of the challenges were encountered at the Police, Court and ODPP respectively, including the prevalence of corruption, delays in judicial process and high cost of litigation.
- The findings point out that 64% of the Duty bearers dispute the independence of the Judiciary alluding to the constant overt and covert intrusion by the Executive and other arms of government.
- Land matters formed the highest justice issues at 44%, criminal matters at 24% and Domestic violence at 17%.
- 69% of justice seekers were satisfied with Alternative Dispute Resolution because it's associated with less costs of litigation.

In addition, the report made recommendations to several institutions which include among others; LASPNET to strengthen awareness programmes, continue to advocate for pro poor laws; the Judiciary to ensure effectiveness in the way cases are handled; strengthen replication of sustainable innovations in access to justice such as plea bargaining, mediation and state brief schemes; the Uganda Police Force to curb corruption incidences and protect human rights and the JLOS Secretariat and Ministry of Justice and Constitutional Affairs to facilitate the process of formally recognizing informal justice systems by the sector and fast track efforts to support the passing of the NLAP and Administration of Justice Bills to ensure the indigent access justice and guarantee independence of the Judiciary respectively.

4.0. EMERGING ISSUES ON ACCESS TO JUSTICE

The Sector in the reporting period has made great strides in enhancing access to justice. The Fourth Strategic Development Investment Plan reporting period was launched, efforts to have the NLAP and Administration of Bill attained significant milestones, new Inspector General of Police was appointed amongst others. However, on the downside there were increased deterioration of human rights with reports of torture and impunity instigated by security agencies among others:

Positive developments

4.1 Launch of the Fourth JLOS Strategic Development Plan

In light of providing strategic guidance to JLOS, the 4th Strategic Development Plan (SDP IV) for the period 2017/2018 to 2020/2021 was developed and launched on 30th November 2017 the theme of the SDP IV is: **Empowering the people; building trust, and upholding rights**. The SDPIV seeks to strengthen the mechanisms for delivering citizen-centered access to justice and provide a strategy to meet the justice needs that the citizens in Uganda face on a daily basis.

Important to note in the new development sector plan is the commitment to enhance legal aid service delivery as one of the core priorities to the JLOS SDP IV. This in essence is a welcome development which seeks to make the sector more demand-driven and fulfilling on its mandate of ensuring access to “Justice for all.” This can practically be achieved through strengthening linkages between both State and Non-State actors. For instance, both JLOS and Legal Aid Service Providers (LASPs) need to collaborate in rolling out programmes intended to improve standards in the delivery of access to justice and legal aid such as development of innovations as well as organizing legal open days and other events. More engagements by both actors will also help to respond to existing bottlenecks of access to justice such as corruption and case backlog.

Promotion, coordination and regulation of Legal Aid Service Providers (LASPs) as well as fast tracking the enactment of legal aid promoting laws. Therefore, in pursuing the above agenda, it will necessitate JLOS to strengthen synergies with various LASPs such as LASPNET, JCU, LDC, ULS and ASF among others, whose work directly feed into the SDP IV. In addition, JLOS will need to make avenues for provision of adequate resources as well as mainstreaming legal aid service in the sector service delivery mechanisms beginning with most vulnerable areas like child justice, criminal justice and family Justice.

Some of the major priorities under the SDP IV include widening and deepening access to services of JLOS institutions, eliminating case backlog, addressing the wider civil and criminal justice challenges, development and funding of special programs to target gender, age, poverty and other forms of vulnerability, mainstreaming national priorities and the Sustainable Development Goals, innovations to bridge the gap between formal and informal justice systems whilst being committed to national and international human rights standards and tackling the growing concerns of corruption and human rights observance.

4.2. Provision of legal aid to the poor and vulnerable; Outreaches and Open days in partnerships with corporate entities like NSSF

LASPs have continued to make access to justice possible through undertaking provision of legal and advisory support services in their respective organizations, empower communities through outreaches and working in conjunction with LASPNET to conduct legal open days while ULS continued to offer services through Pro-bon scheme.

LASPNET & NSFF Legal aid open day

On the 7th December 2017, LASPNET with support from the National Social Security Fund (NSSF) organized a legal aid day aimed at extending legal services sensitizing LASPs and the general public about the mandate of NSSF and compliance requirements. This was graced by the Hon. Justice Remmy Kasule, Chairperson of Uganda Law Council.



Hon Justice Remmy Kasule of Court of Appeal and Chairperson Uganda Law Council Inspects the ULS Stall at the LASPNET- NSSF Legal aid Open day.

The Uganda Law society's 8th Annual Pro- bono Day

In addition to the above, the ULS through the Legal Aid and Pro Bono Services Department worked to promote access to justice for indigent, vulnerable and marginalized persons in Uganda. On the 22nd June, ULS organized its national annual pro-bono day throughout the country. The main celebrations in Kampala were attended by lawyers, advocates and the ceremony were presided over by Chief Justice Bart Katureebe. The CJ emphasized the significance of the Probono day as a reminder to legal profession to give back to society through legal representation and advisory services vulnerable men, women and children across the country as well as bring back the public to regain confidence in the justice system.



Advocates providing pro-bono services at ULS Annual Pro-bono day on 22nd June 2018.

Celebrating School of Law @50 through provision of Pro-bono – Legal aid

As one of the activities organized to commemorate 50 years of existence, the School of Law through its Legal Aid Unit, the Public Interest Law Clinic (PILAC) in conjunction with the Legal Aid Service Provider's Network (LASPNET) organized a Pro bono day where the public was offered free legal services under the **Theme: 'Celebrating 50 years of Achievement as we Build for the Future'**. This was attended by various legal aid service providers such as FIDA-U, War Child Canada, PILAC, ULS-LAP among others. Also, development Partners were in attendance i.e. DGF. The occasion was graced by the Deputy Vice Chancellor Makerere, Prof. Okello Ogwang who appreciated several LASPS that teamed up to offer free legal services to the people in the community. This was to help link the university to the community and expose students to the challenges out them hence offering them a learning experience.



Group picture of stakeholders at the Pro-bono - Legal Aid day SOL @50 at MUK grounds.

Makerere University School of Law, PILAC in partnership with LASPNET hold public dialogue

Furthermore, on 11th October 2018, a public lecture was convened by the Public Interest Law Clinic -PILAC, Network of Public Interest Lawyers - NETPIL & LASPNET as the 2nd last activity to mark the celebrations for the Makerere University School of Law @50 years. It was held under the theme “The place of the School of Law in Promoting Rule of Law, Human Rights and Good Governance in Uganda, the Region and Continent.” Notable speakers and panelists included: the Deputy CJ Hon. Justice Alfonse Owiny-Dollo, Hon. Justice Prof. Lillian Tibatemwa, Hon. Justice Remmy Kasule, Prof. Joe Oloka-Onyango, Mr. Francis Gimara and Ms. Sylvia Namubiru Mukasa, among others. Issues dissected were among others ethical practice, impunity, legal aid, social justice lawyering, Mentorship, Law as a calling, Professionalism and Innovation.



Hon Deputy Chief Justice Alfonse Owiny Dollo giving closing Remarks at the Public lecture to mark SOL@50 MUK Main hall.

4.3 Protecting Human rights and Rule of law activism through Legal aid

During the election period and times when there are legal reforms that appear not to be representative of majority will, there is a deliberate curtailing of freedom of assembly and speech where police arrest indiscriminately those involved and or appearing to participate in protests. As a result, many youths who include university students are apprehended and incarcerated beyond the 48 hours and often outside the arresting jurisdiction. LASPNET has stepped up in the gap to coordinate rapid legal response mechanism where LASPs and public interest lawyers have come in handy to offer immediate legal remedy in form of applying police or court bond. During the period July and October 2018, 40 activists were supported through facilitating lawyers and paralegals who applied for bail, provided legal defence sourcing for sureties. Some of these cases from the Bugiri and Arua by-elections that led to arbitrary arrests, and the social media tax demonstrations in Kamuli.

4.4 Improving the legal and policy framework for A2J

The legal aid policy and administration of justice Bills have been in the offing for now quite a number of years now. In the period under review some miles were noted in as so far as fast tracking the legislation process by Parliament and key stakeholders.

Fast tracking the legal aid law through a Private Members Bill

The need to pass the National Legal Aid Law has been a key agenda item for the LASPs driven and led by LASPNET. The aim is addressing the gaps in improving access to justice for the poor and vulnerable through state funded legal aid scheme. Realizing that the draft policy has been at Cabinet since 2012, with no indication of moving from that point since the Executive required a certificate of financial implication which was not force coming, LASPNET in partnership with JCU and Greater North Parliamentary Forum with support from DGF and UNDP initiated efforts to fast track the National Legal Aid Bill. This led to coming up with an approach to fast track this law through a private members Bill. Led by Hon Lyandro Komakech and Hon. Veronica Bichetero , a motion was introduced in Parliament on 27th of September 2018 which led to parliament presided over by the Hon Deputy Speaker Jacob Oulanyah to give the Attorney General an ultimatum of 30 days to have the government and Private members position harmonized to introduce the Bill at the floor of parliament This came as a new lease of life in the efforts towards advocating for a legal framework that will enable the poor, vulnerable and marginalized access justice. This development speaks to a recommendation of the report of 2017 which was targeted to amplify lobby efforts to ensure that the national legal aid bill and policy are enacted It is hoped that if passed into law, 80% of the poor population who cannot afford legal services will be able to access justice.



*Hon Lyandro Komakech MP Gulu Municipality
Mover of the Motion.*



*Hon Veronica Bichetero MP Kaberamaido
seconding the Motion.*



L-R: LASPNET National technical working committee for NLAP meeting with the Hon Jacob Oulanyah Deputy Speaker Parliament.

The progress on Administration of the Justice Bill, 2018.

The Administration of Justice Bill that seeks to empower the Judiciary as an Independent and self-accounting institution. It was gazetted and introduced on floor of Parliament. It was then referred to Legal and Parliamentary Committee. The Bill is now open to stakeholders and the public to give their views including. The Coalition in Support of Strengthening the Independence of the Judiciary (CISJI) led by Uganda Law Society with other members who include LASPNET Centre for Public Interest Law (CEPIL), Anti-Corruption Coalition Uganda (ACCU) and Foundation for Human Rights Initiative (FHRI) had the opportunity to share their views in full support of the legislation in ensuring the Judiciary is independent and autonomous through managing its funds, recruitment and supervision of its human resource.

4.5 Case management improved

In a bid to improve case management and reduce on delays in doing business in courts of law, in September 2017, the Chief Justice, Hon. Justice Bart Katureebe launched a 5-year ICT strategy that will see most of the court activities automated to facilitate efficient delivery of justice. The ICT Strategy will, among other things, ensure that court users who cannot appear in court physically due to various reasons like infancy, old age, distance and costs can give their testimony via audiovisual link. Court automation was one of the key recommendations proposed to the Judiciary by the 2017 LASPNET's Socio-Economic research on corruption in JLOS.

Further still, under DGF II funding, LASPNET will complement Judiciary's court automation initiatives through supporting automation of two courts of Buganda road and Mengo courts. The rationale behind this is to reduce human to human contact that will help in curbing petty corruption thus enhancing access to justice for the poor and vulnerable.

The Electronic Court Case Management Information System will greatly contribute to the Case Backlog reduction through provision of: Real-Time access to case information by all the parties in that particular case; A digitized court case file that will eliminate case file loss of misplacement and Electronic exchange of legal documents. Hon. Chief Justice Bart Katureebe.



Before: Poorly archived files at the Family Court Division. Photo credit: Karoli Ssemogerere.



After: Innovative improvised filing system at the family division amidst constraints.





Hon Justice Olive Kazaarwe of the Family Division of the High court leading the court users Committee to inspect facilities at the court. The Administrator General is features in figure 2

4.6 Establishment of special court session for SGBV

Responding to the dire need of SGBV cases as reported in the 2017 Police crimes report⁸ the judiciary has responded positively to fact track and provide specialized justice to victims by setting up a special court slated to begin towards the close of the year 2018. This intervention has been made possible with funding from the United Nations Population Fund. The target will be to hold 13 special criminal court sessions to clear 1,000 SGBV cases in different parts of the country between November to December 15th 2018. The Selected courts included the High Court Criminal Division in Kampala, High Court Circuits of Soroti, Bushenyi, Mukono, Gulu, Mbale, Masaka, Moroto and Chief Magistrates Courts of Nabweru, Iganga, Lira, Kapchorwa, and Sironko⁹. If this is realized it is going to be a set in the right direction in addressing SGBV and enabling victims access justice.

4.7 Electing of new Local Councils

The HiiL Justice Needs Report 2016 revealed that the Local Council Courts are the most trusted institutions both for seeking information and solving disputes. Similarly, the 2017 LASPNET Access to Justice Trends Analysis research noted that majority of Ugandans seek information and advice from their social network and the Local Council Courts (LCCs). However, for the last 15 years Ugandans had not voted for LCs until recently in July 2018. Although the LC I elections fell short of legitimacy through depriving voters of their right to a secret ballot¹⁰, it is hoped that they will revitalize operations for Local Council Courts in resolving petty disputes. Therefore, starting from the sector level, there is urgent need to build the capacity of LCs through trainings on the law, ADR and other legal procedures. In addition, they will need resourcing monitoring and evaluating of the adjudication work of the local council courts by the judiciary.

8 According to the Police Annual Crime Report 2017 registered 14,985 cases while domestic violence increased from 13,132 to 15,325 cases.

9 Judiciary Press release on the special court sessions to clear 1000 SGBV cases as on 21st October 2018

10 <http://www.fhri.or.ug/index.php/pages/whats-new/item/231-fhri-petitions-constitutional-court-over-lc-elections>

4.8 Use of ADR mechanisms to enhance access to Justice

The JLOS Semi-Annual Report (2017/18) recognizes that Alternative Dispute Resolution (ADR) is the most appropriate measure to relieve the communities of the conflicts that tend to arise time and again. Mediation has gained momentum and is steadily spreading in all courts country wide. However, ADR is constrained by the lack of experienced mediators and low response to mandatory mediation in some cases. Legal Aid Service Providers such as ASF, JCU and LASPNET have stepped in to support initiatives aimed at strengthening mediation through development of a mediation manual for community paralegals. It is hoped that if JLOS sector adopts the developed standard mediation manual developed to support the training of trainers it will go a long way in improving mediation and encouraging uses of ADR mechanism. In addition, the JLOS needs to consider linking informal justice mechanism to formal to improve community led justice.

4.9 Case backlog reduction

The 2015 court census highlighted that the Judiciary had a backlog of 11,474 cases. In 2017, Judiciary cleared a record 175,000 cases. This was revealed by Chief Justice, Bart Katureebe at the opening of the new law year 2017. It was further revealed that the high number of cases disposed of has reduced the total number of backlogged cases to 25% from the 32% cases they had in the system. The case backlog reduction was among other things attributed to the increased use performance to improved funding for sessions in the High Court, Court of Appeal and the Supreme Court. It's imperative to note that case backlog reduction not only speed up dispensation of justice but also helps disposing of cases with economic value such as land cases. Case management will be enhanced by the automation of processes that Judiciary has embarked on. As a result of implementation of the case backlog JLOs has registered an increase in the clearance rate of cases from 95.2% in 2016 to 96.1% in 2017/18 with a total of 164,530 cases disposed of.¹¹

4.10. Roll out of Small Claims Procedure

According to the Judiciary performance and activity report for the 2018 on the small claims there has been further roll out to seven courts. This in a bid to enhance access top justice for small and medium business owners such courts included Ntungamo, Mitooma, Kisoro, Lira, Kamuli, Apac, amongst others.



Photo credit: Judiciary



4.11 Recognition of best performing Officers & Institutions

Recognizing judicial officers is a good gesture to encourage best practices as well as effectiveness in the judicial work. It also promotes innovativeness and empowers judicial officers to perform without compromise. CEPIL and ULS embarked on the development of the Judicial Scorecard which is aimed at measuring the performance of Courts and Judicial officers against various indicators such as **Fairness in the administration of Justice** - which entails giving clear orders based on facts, evidence and law. **Impartiality** - which involves conducting unbiased proceedings; **Professionalism** - which involves knowledge of law and rules; **Certainty** - which is about resolving cases in due time; **Behavior and attitude** - which entails respecting court users/controlling the courtroom and **Communication** - which entails communicating to court users in a polite way. On 15th August 2018, at the event graced by the Chief Justice Bart Katureebe, the top ranked individual judges and magistrates were recognized and these included;

- Justice Stella Arach Amoko (97.1%) -Supreme Court Division
- Justice Remmy Kasule (79.1%) - Court of Appeal
- Justice Stephen Mubiru (96.3%) -High Court Arua
- H.W Faith Everest Palodi (89.8%) -Chief Magistrate Court Arua

Justice Mubiru noted that working in the Judiciary needs a lot of sacrifice because it involves transfers where one has to leave his/her family behind to perform duties. He added that in that situation, one feels lonely, abandoned and neglected especially if the transfer is far and in hard to reach areas hence the need to reward outstanding judicial performers.

Related to the above, the 2018 JLOS recognition awards recognize individuals and institutions for that have demonstrated exceptional good performance in the administration of justice and the rule in the period between July 2017 and June 2018. ¹² Some of the recognized institutions or Persons include;

No.	Name and Institution	Award
1.	Hon. Justice Dr. Yorokamu Bamwine	Distinguished Service Award (2018) in recognition of his outstanding and distinguished service to the Justice, Law and Order Sector as Principal judge.

.....
¹²<http://www.jlos.go.ug/index.php/news-media-events/newsroom/latest-news/item/632-winners-2018-jlos-recognition-awards>

2.	Legal Aid Project of the Uganda Law Society	The JLOS Excellence Award (2018) for its highly successful legal aid service model that has delivered results in access to justice for the poor and vulnerable. Efforts of the legal aid project have greatly contributed to the Sector's access to justice initiatives. ¹
3.	African Prisons Project	JLOS Partnership and Collaboration Award (2018) in recognition of its contribution to prisoner reform the Uganda Prisons Service and rehabilitation of former prisoners into responsible citizens.
4.	Kabale district chain-link committee	The JLOS DCC of the Year Award (2018) in recognition of its contribution to effective coordination of sector programs in Kabale district
5.	Mr. Amos Ngolobe	The JLOS Long Service Award (2018) awarded to in recognition of his long and steadfast service and contribution to the Justice, Law and Order Sector as Deputy Director of Public Prosecutions and a member of several JLOS management structures.
6.	Judiciary	JLOS Public Affairs and Media Relations Award (2017) to the that continues to carry out extensive public sensitization campaigns across the country through barazas, radio talkshows and open days on issues of plea-bargaining, Small claims procedures and other access to Justice issues.



Team from URSB receiving a JLOS Recognition Award from the Chief Justice Hon. Bart M. Katureebe at the 23rd Annual JLOS Review held on October 4 2018 at the Law Development Centre in Kampala (PHOTO: JLOS)

The culture of awards is one way of stimulating performance and creating competitiveness among service provider's institutions for improved access to Justice. Individuals who do their best to serve in delivery of justice feel rewarded and energized as in the same way institution who planned to execute well their mandate. In the same vein it is important that the sector and institution in addition to this across approach start to apply the stick in terms of enforcing performance and making individuals and institution accountable. This more so in aspects of poor professionalism, corruption once they are brought to their attention such as under the whistle blowing Programme under LASPNET as well and institutionalized mechanisms like inspectorates' departments. If the reward system is adopted by all justice institutions including Police, then the level of motivation and discipline will be harnessed among the staf

4.12. Appointment of new IGP and Closure of Nalufenya detention facility

On March 11th 2015, Mr. Okoth Martin Ochola was appointed as the Inspector General of **Police (IGP)**. The new IGP who has served in police administration in various capacities replaced General Kale Kayihura who had in recent times had tumultuous years at the helm of Uganda Police. The appointment of career officer at the helm of police was a positive development whose one of the first achievements, on 27th April 2018, the new Police administration IGP, closed down operations of the Nalufenya facility and re-designated back to a Police station.

For a long time, the Nalufenya Maximum prison had been a torture facility due to enormous complaints raised against it by suspects detained there. In 2017, media awash the public with gruesome pictures of the Mr. Godfrey Byamukama, the mayor of Kamwenge Town Council, who was tortured in Nalufenya on accusations of masterminding the killing of police spokesperson Andrew Felix Kaweesi. Since then, the facility became known for torture and inhuman degrading treatment. According to the Uganda Human Rights Commission report of 2016, which assessed the state of human rights and freedoms in the country during 2015 noted that a number of rights violations had happened at Nalufenya. status of a police station.



“The Uganda Parliament will not condone or acquiesce in acts of torture because is in breach of section 2 1(a) and (b) of the Prevention and Prohibition of the Torture Act 2012 in force in Uganda.” Hon. Rebecca Kadaga, Speaker of Parliament.

4.13. Recognition and celebration of Ben Kiwanuka day

On the 3rd September 2018, Judiciary held an augural public lecture in memory of the Late Hon Justice Bernedicto Kiwanuka, the first Ugandan Chief Justice. The late Hon Chief

Justice was abducted from his Chamber on 3rd September 1972 marking the dark history of an attack on the independency of the Judiciary in administration of Justice. In spite of this, the late Kiwanuka left an indelible mark in the legal fraternity and people across the political divide.

These celebrations are set to be done annually and are intended to act as a reference point for judicial officers and other human rights defenders to stand strong in their convictions in defending the rule of law and fundamental freedoms. Also, the celebrations were heightened for the judiciary for it assumes a heightened role in nurturing and protecting the rule of law.



Advocates in attendance at the Inaugural Benedicto Kiwanuka CJ public Lecture source ULS, New vision on line

Negative developments

Some of the impediments that affected access to justice within the reporting period included; impunity by security operatives, continued torture of suspects, poor remuneration of judicial officers among others.

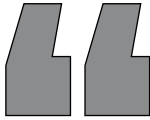
4.13. Torture and oppression of journalists and opposition politicians

Security operatives continued to be in the spotlight of exercising impunity and excessive force against journalists and opposition politicians. The 2017 press freedom index compiled by the Human Rights Network for Journalists (HRNJ) shows 113 cases of violation and abuse of journalists' rights, with police implicated in 83 cases, followed by the Uganda Communications Commission. Recently, during the mass protests of the FREEBOBIWINE campaign, the army personnel were seen beating up a journalist known as James Akena working for Reuters. This continued attack meted out against journalists doing their work has spurred fear and self-censorship among journalists. Opposition politicians have also not been spared of the brutal oppression by security operatives. For instance, during the heated controversial Constitutional amendment of the Art 102b, security operatives allegedly belonging to the Special Forces Command invaded Parliament and wantonly beat up opposition MPs. More still, during the just concluded Arua by-election, 34 suspects including Hon. Kyagulanyi Ssentamu (Kyadondo East) and Francis Zaake (Mityana Municipality), including women and youth were brutally tortured by security operatives upon arrest and further from where they detained under charges of treason. Other 33 opposition

supporters including women and youth who were beaten up by the security agents were arraigned before the Arua Magistrates court when they were limping and bleeding. Aligning suspects who are tortured by security was an outright attack of human dignity and abuse of court process and doesn't rhyme in line international standards of treatment of suspect and their right to access to justice which included medical attention.

4.14. Arbitrary arrests of released suspects

In the reporting period, there were increased unlawful arrests of suspects released on bail both within and outside the precincts of court. One of such incidences was when armed personnel in civilian clothes brutally re-arrested Mr. Ahmed Ssenfuka, one of the suspects in the murder of former Police Spokesman, AIGP Kaweesi. Mr. Ssenfuka was brutalized and undressed as he was being forced into a car. This incident occurred on November 07th, 2017 at Spear Motors in Nakawa, a few meters away from Nakawa Magistrate's Court. In April 2018, Dr. Ismail Kalule, a suspect in the 2010 Kampala twin blast, was re-arrested by security operatives after he had been granted bail by the International Crimes Division of the High Court in Kampala. The security operatives forcefully grabbed Kalule before bundling him into a waiting vehicle and drove off to an unknown destination. Despite several pronouncements made by the Chief Justice calling upon security operatives to respect court orders, the practice of re-arresting suspects granted bail continues to grow hence resulting into impunity and undermining the independence of the Judiciary and rule of law.



“When you are arresting Ugandans, arrest them like human beings not animals. We do not want you to bring people in court while bleeding, failing to walk and sick because such people belong to the hospital, not court. Article 44 of the Constitution of Uganda sets out rights that cannot be derogated in any circumstances one of which is freedom from torture, cruel and inhumane treatment. Even the Baganda say you cannot wrestle someone down and then bite them.”
Chief Justice Bart Katureebe.



L-R: Mr. Ahmed Ssenfuka (suspect) being brutally re-arrested after court granting him bail. Photo credit: Chimp reports.

4.15 Arbitrary arrests and uses of excessive force

On Friday October 19 2018, a video in which armed men wearing civilian clothes allegedly brutalized an unarmed man known as Mr. Yusuf Kawooya, allegedly a member of the Opposition Democratic Party (DP) before kidnapping him in the centre of Kampala City on Thursday. Arresting officers in the viral video were captured beating and failed to adhere to the acceptable standards of human rights but rather continuously abused the human rights of the victim. To date it has been alleged and reported that the victim is missing and his whereabouts remain uncertain and unknown.

Although the resting army officers were later arraigned before court martial, the conducted displayed indicate a deteriorating conduct on treatment of suspects, the unprofessionalism of arresting suspects displayed by the security operatives and a fact that the role of arrest and investigation which is primary a mandate of the Uganda Police has been taken over by probably security agents who are not well trained to deal with civilians. This aspect of arresting and whisking away suspects to unknown places or un gazetted places infringes suspects on rights to access justice and the undermines the principle of innocence until proved guilty.



Security agents execute brutal arrest tainting principles of access to justice: image source Daily monitor October 19th 2018, Social Media.

4.16 The State of Corruption in Police and Judiciary

Corruption is an impediment of access to justice since it leads to compromised judgment hence locking out the poor and vulnerable who cannot afford to pay bribes. In September 2017, the East Africa Bribery Index (EABI) ranked Police and Judiciary as the most bribery-prone institutions in East African countries of Uganda, Kenya and Tanzania. Although the report findings are largely out of peoples' perceptions of citizens, corruption should have no place in the justice institutions because that is where the citizens expect to seek redress. The bribery index also indicates that on average sh294, 082 is paid to each rogue judicial officer by litigants. Incidences of corruption within the Judiciary are also corroborated by the 2017 LASPNET Socio-Economic Perspective report on corruption in JLOS of December 2017, reveals that judicial officers have devised new tactics of taking bribes from litigants through use of mobile money agents. However, the report recommends that in order to deal away with corruption within the Judiciary and Police, government should revamp social protection and increase emoluments for judicial and police officers. On the other hand, the Judicial Service Commission was tasked to ensure that it strengthens its disciplinary actions against errand judicial officers.

JSC has written to the Justice Minister to cause an amendment of the Constitution so that there is no requirement for the President to first institute a tribunal to investigate a Judge before they are dismissed, if found culpable. Ms. Norah Matovu Winyi, JSC Commissioner.

4.17 Increased Crime Rate

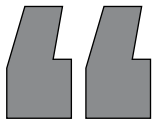
According to the UHRC Report 2017, there was a surge in violent crimes which affected the enjoyment of the right to security of person in Uganda. The violent crimes documented included gruesome killings, torture, assault, kidnap, sexual crimes and domestic violence leading in some cases to severe injuries, death, trauma and fear within communities. The further notes that whereas these cases were spread across the country, they were more pronounced in the districts of Masaka, Lwengo, Kayunga, Amuru, Kalungu, Wakiso and Kampala City. As a result of the insecurity in the country, peoples' right to life and property were threatened.

Relatedly, the increase of crime vis vis poor skills in investigation and poor resourcing has led to increased backlog of cases like SGBV resulting into frustration and the community taking the law into their own hands.

4.18 Poor welfare of Justice Institution officers

Officers in the justice institutions of Police, Judiciary and Prisons are among the lowest paid public officials. This was clearly demonstrated by the several strikes in 2017 in the justice system. For example, judicial officers are arguably one of the least paid civil servants yet their role is indispensable in society. That notwithstanding, judicial officers work in harsh

conditions characterized of poor welfare and remuneration yet they are expected to dispense justice in a more fair and equitable manner. According to the 2017 Socio-Economic Perspective research on corruption in JLOS, there is a correlation between poor pay of judicial officers and corruption. Therefore, the meager pay among judicial officers has often sparked off judicial strike. According to the current pay structure, the chief justice earns Shs 20m whereas Grade II magistrates earn Shs 737, 837 per month. This pay is way below the money paid to officers holding similar positions in government authorities hence not being consummate to their needs. As a result, in July 2018, Amuru Grade One Magistrate wrote an emotive missive to the Chief Justice in relation to the poor welfare and his letter partly read;



“My Lord the CJ ever since the new salary structures was released, we have been in mourning. We have been mourning in speeches, actions and in silence. We mourn that once again our lamentations for improved welfare has received a wide berth and cast a sunder. We in the lower bench are hurting and cursing in silence and this is not good for the institution which you head My Lord. The moral is too low to go to work.”
Amuru Grade One Magistrate Joseph Angole.

It is safer to say that by and large, throughout the reporting period, LASPNET has observed several initiatives pursued by the JLOS to improve access to access such as court automation, case backlog reduction and recognition of best performing judicial officers. On the downside, however poor remuneration of the justice law and order sector, poor working environment such as court premises like in Mukono, Kagadi, among others who operate in shop premises, others with limited spacing such as the family division of the high court's remain challenges and embodiments in enabling access to Justice coupled with arbitrary arrests of suspects and increased corruption levels among Justice institutions such as the Judiciary and Police. We hope that this brief report which highlights some of the access to justice issues for the period November 2017-October 2018 can enable the different stakeholders to take stock of the milestones and challenges in access to justice.

5.0 REGIONAL CONSULTATIVE MEETINGS ON ACCESS TO JUSTICE AND ISSUES EMERGING

To get a practical feel of what is happening at regional level and their input into the status report LASPNET interacted with its LASPs in Eastern, Northern and western regions through regional engagement meetings. These visits were conducted in the month of September and beginning of October 2018. Generally, it was noted that the innovations by the Judiciary such as mediation, plea bargaining, state brief scheme have been embraced but are challenged by resources. In addition, technology has been availed at high court levels while the lower courts have insufficient equipment such as computers and court recording amongst others. The findings also revealed increasing backlog and ineffectiveness with the way cases are handled in court with many jurisdictions holding only one session per year. It was also noted that many LASPs have undertaken several community awareness creation sessions, public interest litigation although much more is required in terms of provision of resources for sensitization programmed.

The regional feedback also reveals rampant corruption amongst institutions like police and judiciary and with the police and using excessive force to effect arrest coupled with delay to investigate mainly due to resource constraint. On a lighter note though The ODPP in west especially Mbarara was commended for improvement in support of investigations and efforts to fight corruption. The details of the findings and opinion are reflected in matrix tow to this report.



Group discussion on access to issues to justice issues with the regional LASPs in western Uganda.



The Assistant legal officer ULS Jinja having a discussion with LASPNET Team, figure 2 The Northern Uganda regional engagements.

5.1. MATRIX ON THE UPDATE OF ACTION POINTS FROM THE 2017 ANNUAL TRENDS REPORT AT NATIONAL LEVEL

Thematic areas	Action points	Responsible Institutions	Status of Implementation
1.	<p>Engagements with Uganda Law Reform Commission and the Justice Law and Order Sector to develop a strategy for mass sensitization of the citizens on the law right from inception or on amendments to allow people get involved in the formulation and during implementation. This will improve the claim of rights and citizens empowerment to live within the law and safeguard the constitution.</p> <p>Advocacy for laws that are pro-poor such as witness protection bill, marriage bill, administration of justice bill, National legal aid bill and discouragement of laws that entail freedoms and defeat access to justice</p>	<p>LASPNET Uganda Law Reform Commission Justice Law and Order Sector (JLOS), LASPs</p> <p>LASPNET, LASPs</p>	<p>LASPNET submitted a position paper on 12th December 2017 to Uganda Law Reform Commission detailing the justifications, laws and areas that should be considered for the law reform programme for the period 2018-2020.</p> <p>LASPNET with support from DGF and Greater North Parliamentary Forum (GNPF) is currently advocating for the passing of the National Legal Aid Policy, and the administration of justice bill amongst others. The GNPF has also been supported by UN Women to train legal aid Ambassadors in parliament, undertake field excursion and conducted state and non-state dialogues. Parliament has given 30 days to the Attorney General to introduce the bill in Parliament.</p>
	<p>Enhance safeguard of freedoms through Public Interest Litigation to reinstate the observance of rule of law</p>	<p>LASPNET, LASPs, ULS, Academia.</p>	<p>FHRI and LASPNET filed a joint application asking court to nullify the LC I and LC II elections. The petitioners argued among others that the lining up method was crude and would violate Article 68 (1) of the 1995 Constitution of the Republic of Uganda which provides for secret ballot as a standard for voting at elections and referenda. In addition, ULS filed a Constitutional petition seeking interpretation of the civilian trials in court martial under the UPDF act of 2015 SOL of MUK conducted a public lecture in commemoration of the SOL@50 under the theme: 'Celebrating 50 years of Achievement as we Build for the Future'</p>

2.	Legal awareness	<p>Build effective partnerships between Government and Civil Society organizations to develop a comprehensive strategy on packaging and dissemination of civic education on access to justice.</p>	<p>LASPNET, Judicial Service Commission, Uganda Human Rights Commission, Justice Law and Order Sector, Academia, LASPs</p>	<p>LASPNET has been engaged in trainings of CBOs and FBOs on anti-corruption organized by the Inspectorate of Government in Hoima and Bunyoro. These meetings took place in May and June and enabled LASPNET to create awareness on reporting corruption using the SAYIT app that was developed with support from the US Embassy. Furthermore JLOS institutions such as Police, Judiciary and ODPP have been engaged on radio talk shows about anti-corruption on CBS, Radio One, Mega FM, Grooze FM and Open Gate radio stations. In addition, LASPNET developed 16000 access to justice and corruption IEC materials. About 10,000 corruption materials were translated into four languages is on-going</p>
		<p>Conduct a baseline to identify the needs of the people on access to justice information.</p>	<p>LASPNET, Justice Law and Order Sector</p>	<p>A study on the Youth Justice Needs research was commissioned by LASPNET. It's intended to profile the justice needs of the youth as well as establish their barriers in the recourse to access justice. A draft report was shared by the consultant on 18th September 2018 pending review of comments then validation and launch. State of Access to Justice Report:2017 Annual trends analysis report was referenced in the 2017/2018JLOs annual performance report.</p>
		<p>Embark on the simplification of laws and translation into local language for ease of access by the population</p>	<p>LASPNET, Justice Law and Order Sector and Uganda Law Reform Commission.</p>	<p>LASPNET has translated IEC materials on corruption into four local dialects i.e. Luganda, Runyankore, Iteso and Luo and disseminated such materials to the public. The paralegal manual has also been simplified into a handbook to support Community Legal Volunteers in executing their work.</p>

3.	Legal assistance	<p>Develop a strategy on overall distribution of LASPs. The strategy should target fair geographical distribution of LASPs aimed at expanding services to hard to reach areas but also tailored to the marginalized and vulnerable.</p> <p>Develop strategies including partnerships with the Local Government to avail legal services, award of Continuing Legal Education Points and recognition of lawyers who work in difficult places to ensure there is a fair distribution of lawyers in all parts of the country. Adopt use of community paralegals, strengthen probation and community development offices</p>	<p>LASPNET, JLLOS, Uganda Law Council.</p> <p>LASPNET intends to undertake</p> <p>Uganda Law Council, Uganda Law Society, District Local Government.</p>	<p>LASPNET in partnership with IDLO are undertaking updated mapping of LASPs to establish their needs, cost-effective legal aid models and support the governance mechanisms of these LASPs to deliver standardized services. ongoing. In addition, the GIS of LASPNET that locates LASPs in Uganda is periodically updated for effectiveness.</p>
			<p>LASPNET has established partnership with the Uganda Local Government Association (ULGA) to replicate the Lwengo legal aid model in other local governments.</p> <p>In addition, LASPNET in partnership with FIDA, PILAC developed and launched crowding funding software to support raising of funds towards legal aid. Crowd funding is an online fundraising software that allows collection of modest amounts of money from many people into a pool that realizes sufficient funding for a particular project or activity. The launch held at the district headquarters on 29th August 2018.</p> <p>LASPNET is in discussions with ASF & ULS to support training of paralegals. LASPNET is supporting the development of the ULS manual Community Based Paralegals (CBPs) who were identified to provide legal aid services to refugees in Bidibidi, Imvepi and Omugo refugee settlements in West Nile</p>	<p>LASPNET has issued various press statements on emerging access to justice and rule of law issues such as the women murders, corruption and shrinking civic space for CSOs.</p>
		<p>CSOs should intensify demand for government accountability in relation to observance of the rule of law. This could include scholarly writing on issues of rule of law and access to issue to increase awareness by the government but also awaken observation.</p>	<p>CSOs, NGOs and Academia</p>	

	<p>Advocacy with the government and Judiciary to recruit and resource more judicial officers to listen to land disputes.</p>	<p>LASPNET, ULS, Judiciary and JLOS.</p>	<p>The Coalition in support of Strengthening the Independence of the Judiciary where LASPNET is a member has continued to advocate for the Judiciary Administration Bill. Currently, the Bill is before the Parliamentary and Legal Affairs Committee.</p>
	<p>Strengthen linkages between land sector and justice sector to improve handling of land matters.</p>	<p>JLOS and LASPNET</p>	<p>Working through a consortium with ActionAid and PELLUM, LASPNET received funding from OXFAM to implement a project on supporting pro-poor land policies and rights. LASPNET in partnership with USAID SAFE, ASF, Justice Centres and LASPNET developed a community-based mediation manual and LASPNET developed a community-based mediation manual instructors guide that the training of community-based mediators</p>
	<p>Strengthen the implementation, monitoring and accountability system</p>	<p>JLOS and JLOS institutions</p>	<p>The JLOS Sub Accountability Committee where LASPNET is a member has continuously engaged on accountability issues including rule of law and access to justice. LASPNET with other CSOs such as Action Aid are in the preliminary discussions to form an Accountability CSO consortium to support accountability mechanism. JLOS institutions have various complaint handling system that support to deal with reported corruption incidences LASPNET with support of the US Embassy is implementing a project to report corruption in the justice system. A new application known as the SAYIT App was developed under this project to aid reporting of corruption in JLOS institutions by the youth.</p>

4.	Redress mechanisms	Judiciary should increase outreach to the members of the public through open days and build the confidence of members of the public in the courts.	JLOS, Judiciary and LASPNET	The Judiciary continued to run open days, and through its media unit to release judiciary updates LASPNET participated in the court open day held in Bushenyi on 25th June 2018. The event was officiated by the Chief Justice Bart Katureebe. It also provided LASPNET with an opportunity to offer legal aid services as well as disseminate IEC materials on access to justice and corruption.
		The Judiciary should intensify activism and continuously assert its independence from the Executive in the dispensation of justice.	JLOS and Judiciary	Efforts are ongoing to ensure the Judiciary is independent under the Coalition in support of Strengthening the Independence of the Judiciary. Further the Judiciary has presented is justification for the administration of justice bill before Parliament and requested for partnership with stakeholders to ensure that it is passed. In the Constitutional Court of Uganda at Mbale Constitutional Petitions Nos. 49 of 2017 in a dissenting view Justice Kakuru underscored the independence of the Judiciary and the 3 arms of government <i>"That the actions of the security officers in entering Parliament, arresting, detaining and assaulting Members are unconstitutional and contravene Articles 23, 24 and 29 of the Constitution."</i>
		Investigate push factors for case backlog and devise strategies to increase case disposal.	JLOS and Judiciary	The case backlog strategy was developed and launched in 2017 by the Chief Justice pending its implementation.
		Implementation of the JLOS Anticorruption strategy.	JLOS and JLOS institutions.	LASPNET through implementing the Corruption monitoring project has supported the popularization of the complaint handling mechanism of JLOS institutions such as Police, Judiciary and Office of the Director of Public Prosecutions through radio jingles, DJ mentions, Talk shows and IEC materials. The project also leverages trained monitors who whistle blow corruption incidences which are submitted to JLOS institutions for practice change.

		Conduct a study on the impact of the cost of justice on the ability to access justice and work out new charges.	JLOS and JLOS institutions.	This will be implemented under the JLOS SDPV which seeks to deepen and broaden access to JLOS services through well targeted interventions aimed at enhancing access to services, mainstreaming human rights and gender equality, fighting corruption and strengthening competitiveness and commercial justice.
		Print the government levies on justice services and pin within the institutional premises in language understandable to the users.	JLOS and JLOS institutions.	There is no information found speaking to this action
		Document Impact of ADR mechanism to access to justice Undertake training of advocates on ADR to popularize it. Deepen ADR interventions within the formal and informal justice systems.	Uganda Law Society, LASPNET, JLOS, Local Council Courts and Cultural institutions.	LASPNET developed a position paper about the efficacy of the ADR mechanisms and shared with the Land Inquiry Commission through the Land Development Partners Working Group on 25 th August 2018. LASPNET in partnership with ASF, Justice Centres Uganda developed a Mediators manual. In addition, Community based Mediators were trained in Hoima, Fort Portal, and Gulu. The Sector is in final stages of completing the study on the use of informal justice mechanisms, which has undoubtedly gained a lot of interest in the country, considering the challenges of case backlog. The Uganda Law Reform Commission will undertake bench marking studies to consolidate proposal on the study.
		Improve documentation, storage and archiving in court at all levels.	JLOS and Judiciary.	Discussions are ongoing between LASPNET and Judiciary to automate Mengo and Buganda road courts. There is improvement at Court of Appeal, Family Court to provide better well-organized filing.

		Improve Session Guidelines at the judiciary level to ensure that judges are responsible for ensuring that records are proper and correct before closing a session, plan for training of record assistants on how to organize the archives and train transcribers and issues of law.	JLOS and Judiciary.	There was no information available to provide an update.
		Implementation of the JLOS Anticorruption strategy.	JLOS and JLOS institutions.	<p>It has been reported that the implementation of the JLOS anti-corruption strategy has not been effectively documented and tracked by JLOS. Further, out of the 18 JLOS institutions only 52 have embarked on the implementation of the strategy.</p> <p>LASPNET in consultation with the JLOS intends to undertake an assessment study on the performance of JLOS institutions in regards to the JLOS Anti-Corruption Strategy. This activity is planned for the quarter Oct-Dec 2018.</p>
		Advocacy to implement the Anti Torture legislation.	JLOS, Police, CSOs and Security Organs	<p>ACTV is specialized service provider providing both psychological and legal support to victims of torture. Various statements have been released condemning the use of torture. This is further complemented the work of the Ugandan</p> <p>LASPNET joined ACTV to celebrate the Anti-Torture Day on 26th June 2018. The Network has also supported victims and suspected of torture through coordination of legal rapid legal response. Mechanisms.</p> <p>Coalition against torture that has used various media to lobby government to stop torture including release of press statements joint e.g. Press Statement on the United Nations Day in Support of Torture Survivors, 26th June 2018 release jointly with the Uganda Human Rights Commission</p> <p>Currently the mechanism has 53 Advocates from LASPs and NETPIL Lawyers signed to support legal rapid mechanisms particularly in the recent torture allegations emanating from the Arua incident</p>

		Intensify advocacy with the state to offer protection to the establishment of CSOs. Further, engage with the Police to build the capacity of CSOs to manage security risk.	LASPNET and CSOs.	This has been done through press statements and engagement with the Police leadership under the JLOS Sub Accountability Committee. The Centre for Constitutional governance convened a CSO Leaders forum for region. The Conference on Advancing Civic Space and Democratic Accountability in shrinking environment was held 6 th & 7 th September 2018 at Metropole Hotel Kampala brought together CSO leaders to discuss shrinking space in the region. The conference resolved to use research, communication and public interest litigation as tools for reclaiming the space.
		Engage government to establish an accountability commission to inquire into the Kasese killing and the incidences of torture that have resulted into grievous bodily harm to hold state operatives accountable for acts of torture.	CSOs, LASPNET.	The Elders' forum and interreligious council have embarked on the process of having a National dialogue which is likely to tackle the aspect of transitional justice
		Investment in capacity development of justice stakeholders to dispense child justice in a friendly manner.	JLOS, MoGLSD, CSOs.	ULS conducted a training which was attended by over 100 magistrates and judicial officers who were trained on key topic including child justice.
		Implement the Child Justice Strategy especially to ensure that there are adequate detention facilities for juveniles managed according to international standards of managing juveniles	.	The child Justice strategy of JLOS was finalized though it awaits implementation and the J4C with coordinators managed by the JLOS secretariat still offer support to facilitate child friendly procedures We still have the Remand homes which include Naguru, Gulu, Masindi, Mbale, Fort Portal, Kabale remand homes Kampiringisa rehabilitation center with no major development the Arua remand home though has been constructed with an extension for rehabilitation centre.

5.	Enforcements	<p>Implement the Child Justice Strategy especially to ensure that there are adequate detention facilities for juveniles managed according to international standards of managing juveniles.</p> <p>Implement the Minimum Standards for Persons under Detention to ensure that prisoners live under dignified conditions and are not assaulted.</p> <p>Review the execution of judgments and develop an execution process that is sensitive to the needs of the poor.</p>	<p>JLOS, MoGLSD, CSOs.</p> <p>JLOS, MoGLSD, CSOs.</p> <p>JLOS, Judiciary and UCBA</p>	<p>This is ongoing and discussions under the JLOS Sub Accountability Committee to improve juvenile justice by LASPs such as APP, PAS and LDC-LAC.</p> <p>This is ongoing by the Uganda Prisons Service through education reform, close elimination of the bucket system and rehabilitation amongst others.</p> <p>LASPNET in partnership with UCBA is currently supporting execution of court orders for the indigent. A total of 33 cases were received and 7 were successfully executed. A total of 14LASPs and Court bailiffs were also trained on execution of court orders with participation of the Head Execution division of high court Hon Justice Duncan Gaswaga</p>
6.	General recommendation	<p>Generate an annual score card for access to justice using the JLOS Result framework.</p>	<p>JLOS and JLOS institutions.</p>	<p>CEPIL and ULS launched a Judiciary score card on 15th August 2018 which is a benchmark for recognizing the most performing judicial institutions as well as officers as a way of motivating them to effectively execute their duties without any compromise/s</p>

6.0. MATRIX OF UPDATES FROM THE LASPS REGIONAL CONSULTATIVE MEETINGS ON IMPLEMENTATION OF RECOMMENDATIONS OF ACCESS TO JUSTICE TRENDS ANALYSIS REPORT 2017

In an effort to establish the status of implementation of the recommendations from the 2017 Access of justice trends analysis report, interaction was held with the LASPs across the regions of Uganda. The LASPs advocates were engaged in focus group discussion and the matrix provides in detail the updates and opinion on the current state of Justice in their respective regions.

Region	Western	Northern	Eastern Region
Judiciary	<p>The LASPs reported that they had witnessed a replication of sustainable innovations in access to justice such as plea bargaining, mediation, state brief scheme amongst others.</p> <p>Plea bargaining: In the reporting period, 12 cases were handled during the one plea-bargaining session held in Hoima and Masindi.</p> <p>Plea bargaining: In Mbarara, Private lawyers have abandoned plea bargaining and left it to LASPs. “If legal aid says no to plea bargaining it closes.” Also, some private lawyers have lamented the low facilitation to handle cases under plea bargaining stating “how can get 50,000-that is work for unserious people”</p>	<p>In Kitgum Chief Magistrate Courts and Gulu High Court state briefs scheme, mediations and plea Bargain are implemented</p> <p>Plea bargain: LASPs noted that in the Northern region plea bargaining particularly Gulu and Kitgum Courts which has reduced case backlog in these areas. In Kitgum Chief Magistrate area and Gulu High Court some lawyers have been able to provide legal support to pleas bargaining whoever it is mainly LASPs lawyers that are supporting plea bargaining and mediation. Although a good percentage of suspects and lawyers have embraced as it has helped to reduce case backlog.</p>	<p>LASPs reported that the plea bargaining and state brief mediation are being implemented</p> <p>In Bugiri, Magistrate’s carry out sensitization of inmates especially on plea bargain. It was also noted that Platform for Labour Action sensitizes inmates in Kamuli and Kaliro on plea bargain.</p>
<p>Strengthen through revival and replication of sustainable innovations in access to justice such as plea bargaining, mediation and state brief schemes</p>			

	<p>Mediation: Almost all matters in court are preceded by mediation. However, they noted that practicing lawyers discourage clients, from pursuing their matters through mediation.</p>	<p>Mediation: In addition, we have seen mediation where some cases in this case have been referred for mediation.</p>	<p>Mediation: Most courts especially in Mbale lack mediators and those that are available are not well facilitated. Eastern courts generally have one mediator who sits in Iganga court but serves Bugiri, Kamuli, Namutumba, Busembatia and Namayingo. Many people are forced to travel long distances for mediators so they end up getting frustrated due to the costs involved. FIDA has facilitated a training of a community legal volunteer at LDC and has supported mediation at Mbale High Court. The MCJL and FIDA advocates have also availed themselves to support mediations.</p>
	<p>State brief system: It was noted for western region that the state brief system at High Court level is working because the lawyers are facilitated however lawyers shun state briefs at Chief magistrate courts due to lack of facilitation. However, lawyers in Mbarara are still supporting the state brief system. Instead the matters on State brief are referred to Legal Aid lawyers who are often ambushed unprepared since they are just ambushed and only know about the matters when they are in court. Also, many times, LASPs are the one being assigned these files without being briefed. The money state brief system is delayed to be not remitted because of delayed reporting by responsible officers. The rate for state brief system provided according to Hoima remains at is UGSH 200,000 which remains very minimal compared to the legal work required which compromises the standard of services rendered.</p>	<p>State brief Scheme: In Kitgum: there is only one lawyer supporting state brief called Jude Ogik of JURIA how is periodically being engaged by the chief magistrate however with coming on board of refugee law project in 5 months there is a noted improvement.</p>	<p>State brief system: LASP's members in the region were not sure on whether state briefs scheme if are really promptly done by the lawyers.</p>

	<p>Further only one high court session has been held since November 2017 there has been no sessions for Kibaale, Kagadi Hoima and Masindi.</p> <p>Small claims procedure: In Mbarara people believe in showing who is more powerful-if you go to show how weak or strong you are –so people don't have interest in lawyers. Small claims procedure though is being undermined by advocates who insist on advising their clients not to go for small claims procedure especially if they want to get more money.</p>		
<p>Provision of supervisory role to Local Council Courts upon establishment</p>	<p>In western Uganda Chief Magistrate courts don't have vehicles to conduct supervision. of subordinate courts. In addition, the LCCs are many to be supervised with about 30 LCCs in one sub county. Also noted was that elections have just been concluded.</p>	<p>In the Northern Uganda they noted that there has not been any supervision of these LCCs considering they have only recently assumed office</p>	<p>They also reported that there is no supervision</p>

<p>Improvement in case management Whether there is efficiency and effectiveness in the way cases are handled for example trials should be done upon committal to reduce on case backlog. And to Rethink complex court procedure to enhance efficiency.</p>	<p>The consulted team in western region noted that there has been improved efficiency and effectiveness in the way cases are handled. They noted limited trial upon committal; only those that have been on remand for five years are considered for trial. They alluded to preferential treatment where suspects who have been on remand for a year only that are placed on the cause list. Therefore, there is no standard system for how one's name gets on the list for trial. Western region is still clogged with case backlog because of irregular high court session. For example, one high court session has been in the reporting period. However, the High courts of Masindi, Mbarara, noted improvement although at the Chief magistrate courts change is minimal. They spoke to challenges of adjournments. Some cases being adjourned for long periods of atleast six months to a year. They also alluded to where some litigants who have lawyers come in march and get dates earlier. It is not clear on the criteria on which adjournments are given. It seems to be preference married with corrupt tendencies.</p> <p>Court recording is perfectly done at the High Court. Indeed, the High Court has tremendously improved in this area. However, the lower courts need to be supported with court recording equipment.</p>	<p>Kitgum Chief Magistrate court has seen some effectiveness where bail is granted to a number of suspects that have met bail requirements. However wide jurisdiction areas still pose a challenge to enhance access to justice. The Kitgum Chief Magistrate Court covers Agago, Pader, Lamwo, though they been gazetted there is still no deployment. Insufficiency of judicial officers in the region causes delays to hear cases that when one judicial officer is sick or is attending a seminar there is no cover.</p> <p>Her Worship Esther Nakadama Chief Magistrate of Kitgum was commended for conducting regular prison visits where a list of inmates is compiled who over stayed decongest prison in Kitgum Lamwo. OC prisons Kitgum "only magistrate who follows up later to ensure cases are cause listed and works with other stakeholders that they disposed of."</p> <p>The Magistrates in Adjumani, Moyo, Arua and Yumbe conduct mobile courts hear access for refugees and host communities</p> <p>In Gulu High Court there is high backlog for those on Committal. In Gulu high court suspects still stay long on remand for long despite committal.</p> <p>Also noted was files being misplaced in Gulu high court and Kitgum Chief Magistrate Court which is causing delay in proceedings and causing backlog.</p>	<p>Eastern Uganda courts are still facing Backlog challenges. They noted that this arises out of the fact that most cases are supposed to pass through mediation, yet there is only one mediator. In addition, efficiency in handling cases has not improved especially many cases are committed for trial with minimum of four years before a matter is tried.</p> <p>The other challenge noted is that Bail conditions are so harsh. Such as setting very high cash bail amounts and, in some instance, requiring land titles as security for the poor, vulnerable persons.</p> <p>The courts also lack equipment to facilitate its work and to provide reports. The courts in Bugiri and Iganga were reported to each having one computer</p>
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	<p>To reduce on case backlog in Mbarara the High court has innovated in service delivery where the Resident Judge moves to Bushenyi, or Ibanda to conducts cases on ground so it is easier to get witnesses.</p>	<p>The participants noted files getting lost between Police and ODPD despite good system of file management through the dispatch file adding that these files get lost/misplaced deliberately. Lack of administrative and management skills of Judicial officers who don't wish to get involved in Mal administration. Therefore, is no commitment from the managers of the courts or chain linked to discipline and manage issues with the Some judicial officers have been quoted to say 'iam here to handle cases don't take me as an administrator' In Lira they use child friendly procedures for children cases. However, in Kitgum court despite the existence justice for children programme / coordinators they noted a problem with the handling of children. The courts continue to handle victims of SGBV in open court not in chambers.</p>	
<p>LASPNET/ LASPS</p> <p>Strengthen mass awareness programmes to Empower citizens knowledge of their rights and the Law</p>	<p>LASPs have taken undertake various programmes to sensitize people about the laws and through radio, social media, IECs materials (they will share exact numbers while a lot is being done the matrix focus on the period under assessment (October 2017- October 2018)</p>	<p>In the northern region they continue with efforts to create awareness. They spoke to having conducted a total of 17 Community which include dialogues; community Judicial Forum; land rights and human rights, women rights (e.g. property), customary land rights in Lira, Amuru, Kitgum, Agago. In addition, RLP supported the training Police and UPDF on human and refugee rights.</p>	<p>Efforts to create awareness are continuous in Eastern Uganda. This Sensitization has happened in schools, and with local council leaders on topic such as land rights, domestic violence, marriage and divorce, trafficking in persons, child labour inheritance, SGBV.</p>

	<p>LASPs such as Justice Centres developed a systematic work-plan to follow when undertaking community awareness and outreaches. First, they undertake pre-visits to understand the communities, map out their needs meet with the leaders and agree on the issues to be discussed on when, how and what time.</p> <p>The Organization that supported awareness creation include Legal Aid project of the Uganda Law Society, Justice Centers Uganda, World Voices Uganda, AHURIO and CEDO.</p>	<p>They further noted a total of 37 radio talk shows held in Kitgum and Gulu by various LASPs. The organization that provided information related to community sensitization were HURIFO, FAPAD, FIDA, UCLF, Refugee Law Project, Justice Centres.</p>	<p>They also reported to have carried our locus mediations in Kagalaba Sub county and Namabasa Sub County in Butaleja and Mbale districts respectively and used the platform sensitized people about the laws on matrimonial property and succession laws.</p> <p>In addition, FIDA supported 1 mobile Legal Aid Clinic in Bushiribo Sub county in Bududa district on the 14th /9/2018 during which the people were sensitized on Children's rights and parental responsibility, SGBVs and Police suspects' pretrial rights. 3 community sensitization outreaches and reached a total of 553 people. The organisations that provided information during the focus group discussion were PLA, FIDA, AFCOD, JCU</p>
<p>Advocating and lobbying for pro-poor laws and policies such as Witness Protection Bill, succession law Marriage Bill, Administration of Justice Bill, National Legal Aid Policy and Bill.</p>	<p>In the west LASPs have participated in the collection of one million signatures. Justice Centers on its radio programmes speaks about the need for legal aid law the NLAP and its important.</p>	<p>In the Northern Uganda, LASPs have participated in the advocacy on the marriage bill through lobbying and engaging the key policy makers:</p> <p>On 16th-18th August 2018, GNPF and LASPNET participated in the National Legal Aid Policy through collection of signatures and the field excursion in Northern region by the Northern Uganda Parliamentary. They also consulted the selected communities in Amuru and LASPs in the Northern region on the National Legal Policy.</p>	<p>They also reported that they participated in collection of signatures to support the petition for National Legal Aid Bill & policy. They have also undertaken awareness creation sessions and through sensitization on the marriage bill. Advocated for the independence of the Judiciary particularly respect of court orders.</p>

<p>Enhance safeguard of freedoms through Public Interest Litigation to reinstate the observance of rule of law.</p>	<p>AHURIO interest, they did carry out a lawful peaceful demonstration against Justice Kavuma's orders.</p>	<p>One going case on the nodding syndrome to demand for better treatment of these cases has been taken by HURIFO i.e., HURIFO file Civil suit no-154 of 2012; Francis Odongyo and Another Vs Attorney General. The is seeking for orders for government to treat nodding syndrome as other special disease other living it to the families and to provide support for the children affected by nodding disease. FIDA has filed matter under Civil Suit number 15/2018 to provide for (Reparations for survivors of conflict related sexual violence)</p>	<p>A Constitutional Petition No. 48 of 2017; in which Muslim Centre for Justice Law& Nakasi Diana suing through a next friend Nabalamba to determine that sections, 2(2), 34 and 42 of the Motor Vehicle Insurance (Third Party Risks) Act, CAP 214 and the Regulation 4 of the Motor Vehicle Insurance (Third Party Risks)) Regulations S.1 214-1 are in contravention of and inconsistent with various provisions of the Constitution of the Republic of Uganda which include They are challenging the fact that government vehicles are exempt from paying third party(s2) ; the maximum amounts that can be claimed and nominal council (s34)amongst others</p>
<p>Develop protocols to standardize ADR mechanisms</p>	<p>Simplified IEC materials on ADR were developed AHURIO. The communities were served with simple guides on ADR. They also developed I.E.C materials for the communities . For Justice Centers Uganda, the ADR mechanism has been framed into topics where they share a summary of case involving ADR and why, for the clients to easily appreciate the mechanism.</p>	<p>The communities in Pader were given by FAPAD simple guiding principles on how ADR can be conducted effectively. FAPAD has designed a booklet on procedures and principles of mediation in local languages. They also have IEC materials on the procedures. The same organization has trained community mediators through local groups such as farmer groups and SACCOs.</p>	<p>The LASPs in Eastern Uganda during the discussion mentioned that they carry out ADR and have developed IEC Materials and radio talk shows. In addition, simple guides on ADR mechanism have been circulated in different communities for people to appreciate the mechanism.</p>
<p>Uganda Police</p>			

Improved welfare of Police Officers to reduce on corruption incidences.

The participants noted that because of poor welfare for Police officers in Uganda, there has been no efforts to reduce corruption. The LASPs members further noted that mechanisms being put in place such as the Police Standard Unit there are not effective. The community liaisons officers have not done enough through their community policing to sensitize more on the dangers of corruption especially to their fellow officers.

Also, to note was that although there are legal officers and Human Rights officers in Police but so silent and have no powers to reduce on abuses taking place like torture; In addition, whistle blowers in Police of recent they were silenced by their fellow police officers who called them hypocrites, traitors. This can be demonstrated by the fact that traffic officers used to be arrested by others. They no longer hunt the corrupt officers. Police officers in corruption scandals are instead taken for further studies and trainings abroad and upon completion they are transferred with promotions. No Police officer has been arrested on corrupt changes, instead they are promotional transfers' or take them for further studies

To some extent they have noted efforts to reduce corruption in Northern Uganda. For example, the display of posters indicating that bond that bond is free although they are in English. Furthermore, in refugees' communities like Lamwo no local languages f. However, the IEC communication channel is not in poster police bond is free contrary to the practice where bond is not actually free. They also mentioned some practice which they called "legalized corruption" such as paying for Police fuel saying receive minimal fuel and Police Form 3 that is over 100,000 e.g. in Arua, Gulu. All cases of corruption and cybercrime are transferred to for centrally being prosecuted which breeds corruption high costs of transporting and maintaining witnesses

-The view of Eastern Uganda was that in spite of the mechanisms put in place, corruption is still rampant in the region. Despite several IEC materials indicating that bond is free, it is not free in practice.

<p>Protect human rights by refraining from use of excessive force on civilians</p>	<p>In west they take note that instead of reduction in abuse there has been increase of use of excessive force especially on the media. It was highlighted that one can't cover an event without help or authorization. They cited 2 journalists working with radio west and tv west in Mbarara who were seriously beaten up, not even by usual police but the army dressed in police uniform. They also noted out that excessive force is in broad day light when it comes to political activities especially during election period.</p>	<p>Their conclusion was that there has been materialization and brutalization by the Police. "Use of excessive on the public is at the peak."</p>	<p>On this issue the LASP's members commented and stated that it's no longer excessive force but brutalization. However, the concern was that in political times there is a lot of use of force.</p>
<p>Enhance community-driven approaches to policing.</p>	<p>There take was that last year there was community policing by crime preventers who tuned out to be crime promoters –it is instead ordinary people who sensitize themselves through community initiatives.</p>	<p>In Uganda Police presence has been noted during on radio programmes and they further undertake community outreaches through the DCC.</p>	<p>Community policing is noticed especially being led by the community liaison officers. The concern was that in policing the police has not emphasized the need to stop corruption. The DPC and CLO have undertaken sensitization across Mbale</p>

<p>Office of the Director of Public Prosecutions</p>	<p>Fast track, and provide adequate and timely advice on investigations.</p>	<p>In Mbarara they report that there has been “<i>tremendous improvement</i>” in investigation with the introduction of regional officers. ODPP has also implemented weed out programme and fast-tracking cases that were framed up. In he in the reporting period for example the Regional officer has initiated Noelle prosequi for 20 cases in the without prisoners being brought to court</p>	<p>The LASPs noted that ODPP are doing their best to fast-track cases though more needs to be done to support timely investigations and processing of files through the justice system. However, they noted that in cases were the matters with personal or political interests are involved citing the example of Arua 33 the ODDP need to do better in such political biased cases. Cases with personal interest have taken longer and this was noted with the ODPP in Kitgum.</p>	<p>In Eastern Uganda, the ODPP tries to give direction to investigations although many people are still arrested pending investigations and Police always focus on looking for incriminating evidence than doing independent and non-biased investigation.</p>	<p>Generally, there is some efforts to fight corruption but not sufficient. Improvement in the fight against corruption was evident in Mbale ODPP’s office through the quick response to inquiries and alleged corruption incidences</p>
<p>Adopt and fast track the Anti-corruption strategy.</p>	<p>The introduction of Regional ODDP officers has curb corruption due their supervisory role. Due to lack of supervision some state attorneys had become untouchable or ‘kings’ in their areas.</p>	<p>Files t are still be being mismanaged however as a result of sensitization by CSOs such LASPs community is empowered communities to report. Communities been sensitized on the procedures of making complaints.</p>	<p>Files t are still be being mismanaged however as a result of sensitization by CSOs such LASPs community is empowered communities to report. Communities been sensitized on the procedures of making complaints.</p>		

7.0. GENERAL FINDINGS AND CHALLENGES

In addition to the existing systematic challenges hampering access to justice, the following challenges which are particular significance were highlighted in the reporting period Some of these include:

The sensitization meetings undertaken by LASPs in Northern and Western region are being used for political gains. people in the community are invited to participate in community events think such activities are political and expect to be facilitated with transport refund like politicians do, in case of meetings. Many LASPs expressed challenges mobilizing the community people to attend sensitization events because people are hungry in scenarios where donors don't provide budgets for refreshments.

- Corruption is still a huge hinderance to accessing justice by the most vulnerable and marginalized in justice
- Some Chief Magistrates courts were cited for failing to accounting for the money under the state brief system which also makes it difficult to receive additional resources.
- Allegations of torture are still rampant on suspects in custody being tortured to extract information and or evidence. Many suspects enter Police custody in good health and leave when torture. Furthermore, many Police surgeons in court documents report these injuries as superficial, leaving many advocates to perceived "Judicial officers are mechanical." In the way they apply the law.
- Related to the above here seems to be an invisible hand that practice a lot of informalities in investigation in the formal structures of Police responsible making of irrational decisions. Some of the security agencies cited to be undermining police mandate include SFC, flying squad. This has resulted in increased torture cases, violation of suspects rights during and after arrests resulting in impunity and abuse of rule of law
- While many LASPs endeavor to undertake Public/strategic interest litigation to promote access and reduce on rights abuses It was revealed that many public / strategic interest cases ended up being politicized and many still get challenges by like of resources
- It was revealed that age determination for children is still challenge especially making it difficult to prosecute SGBV cases.
- There is still wide spread of the culture of early marriage amongst the communities who think that it is normal to get married, which makes many children victims of defilement.
- It was noted that many Police officers seem incapacitated with skill and resources to do investigations.
- Many courts have not embraced non-custodial means of punishment with many preferring custodial sentences which is clogging the justice system.
- The session system of next convenient high court session is causing unnecessary delays and making many stay on remand for long periods of time.

- Initiatives such as mediation have been embraced because they are affordable, simpler, less time consuming and effective in the settlement of disputes. However, many areas are not implementing mediation due to lack of mediators and those that are available are not facilitated which is increasing case backlog
- Some refugees and asylum seekers end up being arrested for illegal entry. This has been particularly seen with refugees from DRC in up Kisoro and Kabale.
- Some LASPs and CSOs are being stopped from undertaking sensitization especially in oil extractive areas of Albertan because it is alleged that they will frustrate government programmes or change mindsets of the communities.
- In some regions many felt didn't feel the impact of the UHRC with some like in west Hoima being cited of not having held tribunals. It was noted that many institutions don't have the commitment to protect or enforce rights especially in the Albertine region.
- A number of suspects especially in the Albertine region involved in land disputes are being arrested and their cases are being treated as criminal matters as a strategy to deny them access to their land Many LASPs have been forced to stop mediations especially by persons who have influence or interest on the land particularly in the Albertine area.
- Selective Prosecution With the emergence of the moneyed in the region, Lawlessness seems to emerge in some communities. This manifests in situations where the moneyed or their relations commit crimes yet they are never apprehended and charged accordingly. In situations where crimes are committed police has always opted for the victims who are poor and vulnerable in most instances to negotiate with the moneyed. Negotiations normally his take place when the suspect is at large. A case in point is in Lenju Village where a 23year young man known by the name Natamba, a son to a tycoon known as Missack Lulagira has gone on rampage permanent scars on his victims and one such assault resulting into death but until recently the said criminal has not been arrested and charged
- Vulnerable persons working in large scale government projects such Karuma Dam have suffered injuries but their injuries are being under estimated by doctors who work to save their companies from liability treatment.
- Some of court bailiffs are acting unprofessional when they recover money keep it for themselves instead of declaring to judgement creditors.
- Despite the efforts of LASPs, many land grabbers are not charged and arraigned before court
- The rules under the small claims procedures don't bar filing a main suit while proceedings are still on going under small claims. Many litigants exploit this to counter file to exercise their authority

8.0. RECOMMENDATIONS

To mitigate the above challenges the following institutional recommendations were proposed:

LASPNET / LASPs

- To ensure improved quality of service delivery, it is important that LASPs and CSOs undertake training LCCs in their areas
- Awareness is a continuous process, there is need to find strategies to sensitize the public at every opportunity without spending money such partnering with local radios, local leaders.
- There is need for more sensitization at the reception centers of refugees to ensure there are not arrested for illegal entry
- LASPs recommend that the Judicial officers in successful matters where indigents are represented should order costs of suite in favour of LASPs advocates / organisation handling the matter. Proceeds will be ploughed back in legal aid to support as a legal aid fund other indigent.
- LASPs should explore use of area MPs to support when rights of the vulnerable are being violated. For example, MP Mwaheirwe of Hoima helped open doors to secure nolle proesqui for some 6 vulnerable persons accused of land grabbing.

JUDICIARY

- To adopt the Mbarara innovation of taking courts near to the people. The Resident Judge periodically moves to Bushenyi, or Ibanda
- The judiciary and JLOS should consider increasing operational funds to support protection of witness and funding witnesses to hear cases as soon as they are committed and consider dealing away with the next convenient high court session model
- There is need to institutionalizes child friendly procedures across all courts and deliberate efforts to train all judicial officers including high court judges on child friendly procures so that there is uniformity and upholding of standards child related cases and continuous training of lawyers. Many judges have not been trained on child friendly procedures so the role of the J4C is crucial towards helping stakeholders to conscientise LOS stakeholders on child friendly processes.
- Judicial Studies Institute in partnership with CSOs should plan and secure resources to train judicial officers on issues of torture so that they can ably adjudicate over such cases.
- In order to ensure that files don't continue missing there is need to ensure that people are made accountable for missing files.

Uganda Law society

- ULS should explore creating interactive sessions between legal aid lawyers and private practitioners to reduce the gaps and perception the lawyers in private practice have on legal aid advocates Practicing because the former are as equally as good as private lawyers

ULS should encourage more private advocates to offer their services to the state brief scheme, embrace pro-bono, ADR Mechanisms and plea bargain.

JLOS Secretariat

- The lack of an adequate monitoring and accountability system that make the innovations ineffective and of less value to the duty bearers and users of the justice services.
- Government agencies such as MHLUD need to engage with the grassroots on the issues

Uganda Police

- There is need to streamline and avoid other officers undermining the powers of the legal and human rights officers in Police.
- Translate anti-corruption efforts from policy documents to practice through inspection
- There is need to provide skilling, financial and human resources for investigation

ODDP

- Continue implementing the anticorruption strategy
- Continue supporting investigations regardless of personal interest of political influence
- To provide feedback to complaints and reasons why cases are discontinued and or dismissed

Prison

- Support efforts to reduce the number of children in adult prisons through age determination
- Continue supporting working with stakeholder to sensitize inmates and bring attention of the DCC and RCCs inmates who have overstayed on remand.

9.0. CONCLUSION

There has been progress in the implementation of recommendations and action points at national level and institutional level. As evidence in the updates provided, these include implementation of anti-corruption efforts, wide acceptance of innovations such as mediation, plea bargaining, increasing sensitization by LASPs. Despite the gains, notable significant reversal in the protection of rights and efforts to enhance access to justice particularly due to resource constrains, political interests lack of adequate monitoring mechanisms. For Uganda to meet its obligations under international, regional and national legal and policy framework there is need for the sector to redouble through providing resources, inspection and monitoring to ensure rights protection and access to justice for the most poor, vulnerable and marginalized.

10.0. REFERENCES

1. 2017 LASPNET Socio-Economic Perspective report on corruption in JLOS .
2. According to the UHRC Report 2017,
3. African Charter on the Rights and Welfare of the Child;
4. African youth charter;
5. Constitution of the Republic of Uganda ,1995
6. Convention on the Rights of Persons with Disabilities
7. Convention on the Rights of the Child ,1990
8. Covenant on the Elimination of all Forms of Discrimination
9. Fourth Strategic Development Plan (SDP IV) (2017-2021)
10. <http://www.jlos.go.ug/index.php/news-media-events/newsroom/latest-news/item/632-winners-2018-jlos-recognition-awards>
11. International Covenant on Economic Social and Cultural Rights,1978
12. Justice law and order sector Annual report 2017/18
13. Kyiv Declaration on the Right to Legal Aid Conference on the Protection and Promotion of Human Rights through Provision of Legal Services 2007.
14. LASPNET 2017 'State of Access to Justice Report:2017 Annual Trends Analysis'
15. Persons with Disabilities (PWDs) and children respectively.
16. principles and guidelines on the right to a fair trial and legal assistance in Africa, 2003 (Dakar Declaration);
17. Sustainable Development Goals 2015-2030
18. The International Covenant on Civil and Political rights (ICCPR)
19. the Lilongwe Declaration on accessing legal aid in the criminal justice system;
20. the protocol on the rights of women in Africa (Maputo Protocol);
21. United Nations Development Programme, Programming for Justice: Access for All: A Practitioner's Guide to Human Rights-Based Approach to Access to Justice (Bangkok: UNDP, 2005).
22. United Nations Standard Minimum Rules for Administration of Juvenile Justice (the Beijing Rules) 1995.
23. Universal Declaration of Human Rights 1948

List of LASPs organizations interviewed in East, North and Western Region

DATE	ORGANISATION	NAME OF THE STAFF	POSITION
1.	PLA	Mutema Kalulu Geoffrey	Legal Assistant
2.	Justice Centres Jinja	Esther Aidkin	Jinja Clinic head
3.	KCOPBA	Mwase Joseph	Chairperson
4.	AFCOD-UG	Musasizi Blair	C.E.O
5.	SODANN	Odong Joseph	Legal Assistant
6.	FIDA-U KAPCHORWA	Rashid Chebet	Legal officer
7.	COLAID	Kavuma Paul	Board Member
8.	FIDA-U MBALE	Nyawere Monica	Legal officer
9.	MCJL	Kharuri Annet	Legal officer
10.	FIDA-U	Olanya Harriet	Program manager
11.	FAPAD	Ocen Joshua	Legal Assistant
12.	JURIA	Opoka Reter Jetulice	Legal and Research Assistant
13.	UCLF-GULU	Ogwang Amos	Paralegal
14.	RLP	Wamimbi Jimmy	Field coordinator
15.	WCC	Nakalembe Judith	Legal officer
16.	WCC-LAMWO	Ariye Sharon	Legal officer
17.	JCU	Komakech V. Max	Manager
18.	HURIFO	Odongyoo Francis	Executive Director
19.	COLAID	Kavuma Paul	Board Member
20.	AHURIO	Akuguzibwe Solomon	Research and Advocacy officer
21.	UCLF	Adiyoi Grace	Lawyer
22.	CEDU-U	Sunday Kenneth	Field officer
23.	LAP-ULS	Kabigumira Innocent	Lawyer
24.	RLP	Namanya Monica	Legal Assistant
25.	JCU	Tiyo Jonathan	Centre manager
26.	WVU	Jumba Charles	Programs manager
27.	PAS	Kiribire Samuel	Paralegal
28.	LAP-ULS	Barekensi Franco	Legal office
29.	LAP-ULS	Asiimwe Mugumya	Assistant Legal officer

